

Monday, May 12,

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1. Call to Order:

The council meeting was called to order Monday,

2. Opening Prayer:

The opening prayer was delivered by Pastor David Warren, First Southern Baptist Church

3. Pledge of Allegiance

All present recited the Pledge of Allegiance.

4. Roll Call

The following members of council responded to roll call: Cerreta, Foltz, Kiesling, Peters, Snyder and Werren. Council Member Griffith was not present for the meeting.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos,

Mr. Peters: May we have a motion and second to approve, as presented, Mayor's Court Receipts. I'm sorry, may we have a motion to excuse Member Griffith.

Mr. Foltz moved and Mr. Cerreta seconded to excuse the absence of Council Member Griffith. All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

5. Consideration

Mayor's Court Receipts – March 2014

Financial Statement – March 2014

Council Meeting Minutes – April 28, 2014

Special Council Meeting Minutes – May 5, 2014

Mr. Peters: Now, may I have a motion and a second to approve as presented, the Mayor's Court Receipts for March 2014; Financial Statement for March 2014; Council Meeting Minutes held April 28, 2014; and Special Council Meeting Minutes held May 5, 2014

Mr. Foltz moved and Mr. Cerreta seconded to approve, as presented, the mayor's court receipts, financial statement, council meeting minutes, and special council meeting minutes. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

6. Committee Minutes

Mr. Peters: May we have a motion and a second to approve, as presented, Executive Session Minutes for Personnel and Safety held 4/28/14, Committee Report Minutes for Finance and Property held 4/28/14, Street and Alley held 4/28/14, Water, Sewer and Rubbish held 4/28/14.

Mr. Foltz motioned and Mrs. Kiesling seconded to approve, as presented the above minutes. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Kiesling

No: 0

Executive Session minutes for Personnel & Safety: Please refer to the minutes on file in the Council Office of the Executive Session meeting for Personnel & Safety held April 28, 2014.

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Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held April 28, 2014.

Street & Alley Committee: Please refer to the minutes on file in the Council Office of the Street & Alley Committee meeting held April 28, 2014.

Water, Sewer & Rubbish Committee: Please refer to the minutes on file in the Council Office of the Water, Sewer & Rubbish Committee meeting held April 28, 2014.

7. Recognition of Visitors

Mr. Peters: At this time, recognition of visitors. Anyone wishing to speak, address Council, please step forward, state your name and address.

Miriam Baughman (reading from a prepared statement): 320 Weber Avenue. According to the Ohio Attorney General, the Ohio Public Records Act is built on the historical principal that the records of the Government are the people's records. This came out of the Supreme Court Case Patterson versus Ayers, and it was Ohio Supreme Court Justice Charles Zimmerman who said, "The rule in Ohio is that public records are the people's records, that the officials in whose custody they happen to be are merely trustees for the people." Therefore, anyone may inspect such records at any time subject to limitations. And then the second quote, and by the way this page I printed off and gave you a copy of, is the front page of the Ohio Public Records Act. The second one is Thomas Jefferson. Information is the currency of democracy. In North Canton, lately it has been very difficult to get public records. The posted policies for each department for public records are not being followed, and I gave everybody a copy of the Finance Department Policy and the Council Policy. Finance and Council each have their own public records policy with designated public records officers who are in charge of giving out the public records. Ninety percent of the request for public records lately have been denied. And, there have been letters from the Law Director that reference multiple case laws as to reason why the records can't be given out. In those multiple case laws, I think were meant to intimidate because they make no sense because you'd have to go look them up. A recent request that I made of the Finance Department, a very simple request, ended up involving three departments of the City. I got a response from the public officer of Administration and I was told to go to the Police Department to pick them up. Now, that Police Department window is very busy. And, it's embarrassing to stand there and wait your turn and go up to the window to ask for public records that could be very easily given out upstairs. It's a waste of employee time, and it's a waste of taxpayer's dollars. What I ask is that the posted public records policy be followed. There is, and I don't know how new it is, but the Attorney General now has a mediation process. So, if you don't get the public records you ask for, you no longer have to get an attorney and file a lawsuit. There's papers to fill out and it goes to mediation and you get an answer within thirty days. I hope that these things can be worked out between the residents and the public records officers so that we don't have to go the embarrassment to go to the Attorney General. Thank you.

Mr. Fox: If I may speak to that to the Council Members, I can speak directly to the situation where she stated that she dealt with three offices. The first one she dealt with was, of course, the Finance Office. And the request that was provided was actually not for a record, it was a request for information. And as provided in Revised Code, as well as our stated policy that, which is posted, is that if you deny a request in full or in part, you are required to give the legal reason. So, that's the necessity that the Law Department must opine on that, provide the rationale for denying that request. The reason that it went to Dispatch is, you all received the emails that Mrs. Baughman had provided including the one from Justine in the Administrator's office. You can see that it was sent on Friday about 3:30. And, Justine had contacted me and stated that she tried several times throughout the day to contact Mrs. Baughman, but understanding that she would probably like to receive the document before Monday and not wait through the weekend, she provided it to the Dispatch folks, and then e-mailed to Mrs. Baughman stating that she could pick it up there. It was no affront to Mrs. Baughman of picking it up at Dispatch, but it's available 24 hours, seven days a week. So, if she wished to receive that, she could simply go to the Dispatch desk. They had a note there so they could provide the documents to her.

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Mr. Peters: Alright. Thank you. Mr. Osborne.

Mr. Osborne: Chuck Osborne. 307 Fairview Street SE, North Canton, Ohio. I just want to back up Mrs. Baughman. It has been very, very trying and very rough since the hiring of our fulltime Law Director. It should not be an adversarial situation. Each of you, including the Law Director is a servant of the people. Would that be a correct statement, Mr. Peters?

Mr. Peters: Correct.

Mr. Osborne: It gets to be a game. Now, certainly Mrs. Baughman could have said, "I would like the documents that provide such and such information." We all know what's going on here. And, as far as documents being provided, I, too, have had the same problem. It's, the documents suddenly became available or become available on a Friday afternoon late in the day. I think that's contrived. The comment I have tonight, and all of Council knows we've had this problem for a year now. Ever since the new policy was put out unilaterally by former Council President Snyder. And, then added on to in November of last year. We seem to have made some strides in improving the situation thanks to Council. But, we're sliding back again. I've seen two documents, one to myself and one to Mrs. Baughman here. And, I feel so sad for some of the City employees and staff. We have very qualified people as the Clerk of Council, as the Finance Director. They can handle their own records request. But, I've had, I've got copies of two documents here in the last week where the Law Director writes or authors the answer to the records request and puts somebody else's name to it. I received one from the Clerk of Council just last week. I'd like to commend her for not signing the thing. It clearly was not written by her. And, the one that Mrs. Baughman is talking about here is of late. Unfortunately, the lower leveled employee, I'm sure was intimidated and felt compelled to sign it even though, obviously she didn't write it. Now, we should not be putting the citizens of North Canton through any of this. We should not be putting the city employees in this kind of predicament. I was very much in favor, and I pushed for several years for a full-time Law Director, but it seems all he's doing is sitting in his office, is to find some way to create an adversarial, very difficult situation for citizens requesting knowledge about their community and how government is being conducted. City employees have been here for a long time, many of them. And, they're highly qualified. Why is the Law Director writing up a response and putting someone else's name to it? And, then having the gall to ask him, well sign this. Again, this should not be an adversarial situation. We're all working toward the same goals. The improvement and the betterment of North Canton, and this City for many years has been enjoyed, I guess, the fact that citizens are busy with their lives, they don't have time to come to the meetings. Thankfully we have some young citizens who do want to come and see how government responds to their needs and fulfills their needs. But, certainly this can't continue. And, I didn't want to speak to this today. I left voice mails with a few council members today hoping it would be handled behind the scenes, and I'm going to let it go at that. But, this is going to have to end. Thank you.

Mr. Peters: Thank you, Mr. Osborne.

Mr. Fox: As Mr. Osborne had stated the difficulty that he has in obtaining public records and that they're routinely denied. This is one of, one, one request last week. This is documents relating to Council meetings in 1977, 1978. 730 pages worth of documents. This is not out of the ordinary, the City providing Mr. Osborne waiting for him to pick these up. So, for him to stating that the City routinely denies him records, I think that's somewhat disingenuous. If someone makes a request for a record that, or request for information that is not a record, that is the City's obligation to deny that request. It doesn't provide research for its residents. It's required by law private records. And, that's what it does. In fact, these are available to Mr. Osborne when he decides to go ahead and pick these up.

Mrs. Alger: I also wanted to say, there are many times we do contact the Law Director because one of the requests was a labor law. So, yes we do contact the Law Director and he gives us guidance because he is the Law Director. So, on the record, I want to say, "Yes, I go to him and ask his guidance."

Mr. Grimes: I, too, would like to echo that. That's why we have a Law Director. When we have a question, we go to the Law Director. Not using him would be just silly on our part. And, I've had public records, I've been doing that before when I was Police Chief. I released

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them to media, lawyers, never had a problem that way. And, I've been to numerous, numerous seminars on public records. My feeling is that it's your stuff, you can have it. But, what we've seen lately is just a lot of public record requests at the City. And, we're trying to get through them and trying to handle them. And, the Law Director is right, if there's a reason that we can't give it out, we have to specify why. The burden is on us to do that. So, the only thing that I think that we're doing not in compliance with our public records is the price. We've had the Law Director look at the price. The price has actually come down because of technology from what we originally had it there, and we were charging the lesser rate not the greater rate for folks. So, our folks are getting to it. But, when we get those things from way back and if it's not clear, we're trying to clear those up, and it just takes up a lot of employee time in all the departments. And, that's what we're going through right now. We're getting stacks and stacks of those kind of records. So,

Mrs. Werren: I personally talked with Bev and Gail both, and the amount of time it takes to put together documents that are like that, and these are sometimes weekly requests, when we talk about the price, it's per sheet, it's nineteen cents. That doesn't take into any account for employee time, which is fine. That's the way the law is. I guess it's part of their job. But, when there is an inordinate amount, it's not that they're not efficient. They're doing their job. They are, it's just when we have so many and so often, and a small staff, that's what happens. What happens, too, if someone does request that and then they don't pick it up? Is that just the way it goes?

Mr. Fox: We have that sometimes. If they don't pay for it, they make the request and don't pay for it, our ordinance states that they make a future request, those documents are not to be provided until they pay for the prior one.

Mrs. Werren: Like a library fee.

Mr. Fox: Correct.

Mrs. Werren: So, I think you guys, you're doing a good job and getting them out to people in a timely manner.

Mr. Peters: OK. Is there anyone else wishing to address Council? Please step forward.

Gretchen Bercaw. Good evening. My name is Gretchen Bercaw, and I'm a resident at 320 Fairview Street SE, North Canton, Ohio. I come here this evening because of the Hoover District. And, the apparent lack of communication to our village community here in North Canton. I have lived here since 2000. I have never been to a City Council Meeting. I have shied away from being involved with some of the politics that have taken place here in the Community. But, the most recent activities that have been taken place near our home are very disturbing to me. We live about half way down the first block of Fairview. We face the Hoover Plant. I worked at the Hoover Plant. I lost my job in 2004. I'm all for jobs in the community. I'm all for development. But, without zoning and regulation and communication to the people that are being effected by what's going on there. It's really, really disturbing. This past week, I drove down Maple Street. I found out all the trees had been clear cut basically. All the old growth trees. We need green space in this community. I have a degree in Parks and Recreation. I worked in the environmental department at the Hoover Company my first year there. I truly believe that there is no plan for what's going on in here. And, I unfortunately didn't get any communication about the Planning Meeting last week. I had communicated to two people on the Council when I received a written letter several months ago that I was disturbed with the plan for the parking lot. And, I texted and called a couple of council members. I found out through Chuck Osborne, thankfully, that there was a meeting taking place, that took place last week. And, that there was a Council Meeting this evening. So, I come here to voice my concern that the community is not being kept up to date as to what's taking place there. Our little village as I call it, has seen significant deterioration in the fourteen years that I've been there. Many of the homes are now non-owner occupied. They're rentals. There's vacancies. There's homes that have been vacant for over a year. There's foreclosures. There's tenants that shouldn't be in the neighborhood honestly. We had the disgruntled tenant who burnt down a home and subsequently a second home in the neighborhood. We had a meth lab on the corner. All of these things as

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a result of the fact that we don't have regulations stipulating what can take place in our community, I believe. And, now with this parking lot situation with the Hoover District, we're finding out that the buffer zone that takes place between Fairview Street and the current parking lot is going to be potentially eliminated, eliminating green space, eliminating a space that protects us from light pollution, from visual apparent esthetic reasons that are going to decrease the value of our homes even further. And, many of the residents on our block aren't even aware of what's going on. Stark Parks put in a trail there, spent thousands of dollars putting in the trail, and now that trail is going to be eliminated. This isn't fair to our community. I'm all for the development. I am not in favor of that parking lot. There is plenty of surface space in this community that is not being used. On the north side of that lot, I worked at a company in downtown Cleveland where we had to take a shuttle to work. We worked, we parked in an off-surface lot, and the company provided the shuttle. If there's not enough parking spots, but I have to tell you, there brochure touts that they have abundant parking right on their website. And, there is no reason that that parking lot should be expanded. Absolutely none. Nor should this front green lawn be paved. Absolutely not. This is going to destroy our town. Right here in front of City Hall. It's going to be blacktopped. I'm furious. And, unfortunately many of my neighbors don't reside in their homes. But, I'll tell you what. I'm going to do my best to tell every single person in this community to make a voice to stop this. Staurt Lichtner, an industrial realty group, as far as I'm concerned, they can leave town. Because they're not doing us any good by doing things like clear-cutting trees. And, I don't know who approved it, who, if it was lack of communication between Council and City Departments or if they just went ahead and did it. But, it is really ugly out there. And, I'm sure that they'll beautify it in some fashion by putting up some sapling tree out there. But, you can't replace 85-year-old trees. So, please consider putting some laws and some regulations in that too. What's happening in our community? And, please communicate with the people in your community because right now that's not happening. I've talked to many, many people in the last twenty-four hours that knew nothing about what's going on there.

Mrs. Kiesling: I'd like to comment.

Mr. Peters: Yeah.

Mrs. Kiesling: Gretchen, I was at that meeting, the Planning Commission Meeting last week. And, as Chairman of Community and Economic Development, I'm definitely very disappointed in how IRV is treating us as a City. I think we've gone above and beyond creating grants for them to help occupy their space over there, obviously creating revenue for the City as well. However, they're very hard to communicate with, and when they brought these plans to us, you know, and the zone change several months ago, they made that very clear they wanted to communicate, they wanted to work with us. I think they got a little frustrated on the front end with some concerns and decided not to do the zone change on that back portion of the property that abuts on Mr. Hipp's property. Because of pulling out on the zone change, it didn't come to Council. It was a Planning Commission action, not a Council action. Therefore, we didn't have to notify the neighbors of another, you know, public hearing because it wasn't coming to Council. However, there was a public hearing and planning, and they did notify residents of how many feet, there are so many feet they had to....200 feet.... So the resident who were within 200 feet of the zone change were notified by a letter stating we had a public hearing last Wednesday night considering the conditional use for that back part of the property. Obviously, IRG owns that property. They do have the right to do with what they'd like with that property. We do have a zoning code. It is very thick. It is very convoluted. It is very complicated. However, we do work within the zoning code and we make them do exactly what's in here. There are a lot of laws in here that will protect the citizens. I have to tell you, at least several of us that were at the Planning Commission Meeting that night, we are not in favor of this. However, as a Council, have no say in it at this point. If it's a Planning Commission issue, it's a Mayor issue, it is an Engineer and a Permits and Zoning issue. I can tell you that, you know, I'm going to fight for whatever I can to create a nice buffer. I certainly don't want them to cut into that R2F part of the parking lot. But, I don't own it. They do. All I own is this. All we can do is go by the law that we have in place right now, and that is what we are currently trying to do. There are a lot of problems with that site plan. They were pointed out to them at the Planning Commission that evening. They're going back to the drawing board to look at their plans again. I know Eric has spoken to them a couple of times this past week, and hopefully we're on the right track. However, you know she made it very clear when she left the meeting in March that she was going to communicate with the property owners and have a meeting, and they chose not to.

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That was a surprise to us. They did not let us know that they weren't going to communicate, next thing I know it's on the Planning Commission agenda. That was not communicated to us. As far as the trees being cut down over there, again, it is their property. Just like I would have the right to cut down my own trees, they have the right to cut down their own trees. Unfortunately, it's absolutely horrendous. I completely agree. So, all I can tell you is continue to stay in contact with us. We'll let you know when they're going to bring it back to the Council. I'm sure Chuck will let you know when Planning Commission is going to meet again, and you know we'll just fight as a group to demand what we think is what we think is appropriate for that part of the parking lot. Hopefully Planning Commission, who is appointed by your Mayor will listen and do what we think is right. However, they also have to go by what's in here that we've adopted over many years as the City of North Canton. So, we'll do what we can. Right now, we don't know what's going on. Other than they were not approved. And, they're potentially coming back next month. I do not know that yet at this time.

Mr. Peters: Is there anyone else wishing to address Council at this time? Ma'am.

Mrs. Dawn Stump: I live at 416 Adena Street, North Canton right behind the Hoover Company. I have people parking non-stop 24/7 in front of my house that work at the Hoover Company. They are non-stop speeding up and down past our houses. They are parking, they're walking around, they're throwing their cigarette butts in my yard. You know, I just don't understand. My house value has decreased two thirds since this sold. And, it was based on, "Oh, they're going to renovate it, it's going to look like Canal Park. There's going to be restaurants. We're going to have the City vote on putting alcohol on being able to be sold over here, which I completely disagree with." But, they passed it, and where's the restaurant? Where's all the businesses that they were supposed to bring to this city? As my house value and my neighbor's value, property value continues to decline while they tear up our City. I just want you to think about the rest of us. You guys probably live in beautiful homes. My house is beautiful to me. But, I could never sell it. I could never move out of this City ever because it's worth a third of what I paid for it because of this. There were little people who lived from paycheck to paycheck that would like to have everything else everybody else has, but we can't because our City continues to decline and everybody is letting it happen. Nobody wants to stop it. He wants to knock all those trees down and take away our trails to bring it so it will make more opportunities for people that want to come see. What are they going to come see? A bunch of empty parking lots. Except for this side, which a third of it is used. A third. I drive by it every day. It's never been full. Ever. Not one time. And, it's not fair. It's not fair that my property value continues to decline while he gets tax breaks and everything else so he can build up a parking lot. How about building up the Hoover Company? How about bring more jobs and more money for everybody else. But, no I can't because he's rich. What happened to all the developers that were in cahoots with him? They all left him. And, now he's asking the City to pay more money to help him finish what he was supposed to have started in the first place. He's done nothing. Nothing. I just think it's a shame.

Mr. Peters: Ma'am. What is your address?

Mrs. Dawn Stump: 416 Adena Street, North Canton

Mr. Peters: Is there anyone else wishing to address Council at this time? All right, seeing none, we'll move on to Old Business.

OLD BUSINESS:

8. Mr. Peters: I need a motion and second to read by title only, the third reading of Ordinance No. 30-14.

Mr. Cerreta moved and Mr. Foltz seconded to read by title only, third reading of Ordinance No. 30-14. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters

No: 0

Ordinance No. 30-14 – 3rdnd Reading – Water, Sewer & Rubbish

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An ordinance approving, confirming, and accepting a Perpetual Public Waterline Easement ("Easement"), granted by Nesbitt Enterprises, LLC, an Ohio limited liability company, ("Grantor") to the City of North Canton, an Ohio municipality, its successors and assigns, ("Grantee"), the perpetual right of way and Easement located in part of the Northeast Quarter of Section 6, Township 11 (Plain Township), Range 8.

Mr. Peters: Chairman Cerreta.

Mr. Cerreta: Yes, we talked about this. This is the third reading. This was a waterline put in twenty years ago, and there was no easement required at that time. So, we're just updating to make it the way it should be, and so I move that we adopt Ordinance No. 30-14 for the third reading.

Mr. Cerreta moved and Mrs. Kiesling seconded to adopt the third reading of Ordinance No. 30-14. All members present voting:

Yes: Werren, Cerreta, Foltz, Kiesling, Peters, Snyder

No: 0

9. Mr. Peters: May I have a motion and second to read by title only, the third reading of Ordinance No. 33-14.

Mrs. Kiesling moved and Mr. Cerreta seconded to read by title only, third reading of Ordinance No. 33-14. All members present voting:

Yes: Cerreta, Foltz, Kiesling, Peters, Snyder, Werren

No: 0

Ordinance No. 33-14 – 3rd Reading – Community & Economic Development

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated at 160 Applegrove Street NE and known as Parcel No. 9208695, and located in the City of North Canton from Office Building District ("OB") to Parks and Institution ("P&I").

Mr. Peters: Chairman Kiesling.

Mrs. Kiesling: Yes. This is the third and final reading of the parcel on Applegrove from St. Luke's. They're going to add on to their property. We're very excited about that. So, I motion we adopt.

Mrs. Kiesling moved and Mr. Foltz seconded to adopt Ordinance No. 33-14. All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

10. Mr. Peters: May I have a motion and a second to read by title only, the third reading of Ordinance No. 34-14.

Mrs. Kiesling moved and Mr. Cerreta seconded to read by title only, third reading of Ordinance No. 34-14. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

Mr. Peters: Chairman Kiesling.

Mrs. Kiesling: Yes, this is the third and final reading of the tax incentive agreements that we have currently. We're keeping the LMD Property and the Reed Funeral Home incentive as is and decreasing the LT Parker and Associate by 25% for the next five years, but looking at it yearly to make sure they reached their quota. Any questions? I motion we adopt.

Mrs. Kiesling moved and Mr. Foltz seconded to adopt the third reading of Ordinance No. 34-14. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Kiesling

No: 0

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Ordinance No. 34-14 – 3rd Reading – Community & Economic Development

An ordinance accepting the recommendations of the City of North Canton Tax Incentive Review Council ("TIRC"), concerning the agreements granting exemptions from property taxation, to continue two (2) and modify one (1) of the existing Community Reinvestment Area ("CRA") agreements.

NEW BUSINESS:

11. Mr. Peters: May I have a motion and second to read by title only, the first reading of Ordinance No. 40-14.

Mrs. Kiesling moved and Mrs. Werren seconded to read by title only, first reading of Ordinance No. 40-14. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters

No: 0

Ordinance No. 40-14 – 1st Reading – Water, Sewer & Rubbish

An ordinance amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02(b)(4) Water Tap-In Fees, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.

12. Mr. Peters: Chairman Cerreta.

Mr. Cerreta: Yes, this is more of cleaning up the language to, it was kind of confusing to the contractors, and we talked about this in committee. We want to clean up the language and make it a little unconfusionable if you recall, so we just want to pass this and get this going so it's very clear to who pays for what as far as the contractors. So, I move we go forward with this in the first reading.

Mr. Cerreta moved and Mr. Foltz seconded to adopt the first reading of Ordinance No. 40-14. All members present voting:

Yes: Werren, Cerreta, Foltz, Kiesling, Peters, Snyder

No: 0

Mr. Peters: May we have a motion and second to read by title only, the first reading of Ordinance No. 41-14.

Mr. Cerreta moved and Mrs. Kiesling seconded to read by title only, the first reading of Ordinance No. 41-14. All members present voting:

Yes: Cerreta, Foltz, Kiesling, Peters, Snyder, Werren

No: 0

Ordinance No. 41-14 – 1st Reading – Personnel & Safety

An ordinance authorizing the Mayor of the City of North Canton to enter into an Emergency Reserve Dispatching Agreement, by and between the City of North Canton and Nimishillen Township, to provide dispatching capabilities to the City's dispatching center in the event it became unusable or inoperable, and declaring the same to be an emergency.

Mr. Foltz: Yes, in case anything goes array with our system, we have an immediate backup and that's why this is on an emergency tonight so we can get this up and moving quickly. It is a \$4,000 one-time fee to upgrade their equipment, and if there's any questions for Director Grimes and Chief Bacon is here tonight. If there's no questions, I'll accept a motion to adopt the first reading.

Mr. Foltz moved and Mrs. Werren seconded to adopt under suspension of the rules Ordinance No. 41-14. All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

13. Mr. Peters: May we have a motion and second to suspend the rules for Ordinance No. 41-14.

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Mr. Foltz moved and Mrs. Werren seconded to suspend the rules for Ordinance No. 41-14. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

Mr. Peters: May we have a motion and second to adopt under the suspension of the rules, Ordinance No. 41-14.

Mr. Foltz moved and Mrs. Werren seconded to adopt under the suspension of the rules Ordinance No. 41-14. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Kiesling

No: 0

Mr. Peters: May I have a motion and a second to read by title only, the first reading of Ordinance No. 42-14.

Mr. Foltz moved and Mr. Cerreta seconded to read by title only, the first reading of Ordinance No. 42-14. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters

No: 0

Ordinance No. 42-14 – 1st Reading – Personnel & Safety

An ordinance amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, as amended, specifically Section 1. GENERAL PERSONNEL REGULATIONS.

14. Mr. Peters: Yes. What we're doing is addressing the exempt personnel, the salaried personnel. They will no longer be filling out specific time cards. They will only be filling out time sheets that specify whether they took sick time, vacation time, or personal time. And, if there are no further questions, I'll accept a motion and a second to adopt.

Mr. Cerreta moved and Mrs. Werren seconded to adopt the first reading of Ordinance No. 42-14. All members present voting:

Yes: Werren, Cerreta, Foltz, Kiesling, Peters, Snyder

No: 0

Mr. Peters: May I have a motion and a second to read by title only, the first reading of Ordinance No. 43-14.

Mrs. Werren moved and Mr. Foltz seconded to read by title only, first reading of Ordinance No. 43-14. All members present voting:

Yes: Cerreta, Foltz, Kiesling, Peters, Snyder, Werren

No: 0

Ordinance No. 43-14 – 1st Reading – Street & Alley

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Price Park East parking Lot Rehab Project at a total cost not to exceed \$95,000.

Mr. Peters: Chairman Griffith is home taking care of a sick child. I'm going to let the Engineer for these next three, give us a quick synopsis.

Mr. Benekos: Sure. This is to improve the parking lot, the east parking lot along West Maple Street, Price Park. We're looking at putting in some bias wales and permeable pavers to improve the water quality and reduce the water runoff from the parking lot. And, then subsequent legislation the next one, we're applying for a grant to do that work.

15. Mr. Peters: I'll accept a motion and a second to adopt the first reading of Ordinance No. 43-14.

Mr. Foltz moved and Mr. Cerreta seconded to adopt the first reading of Ordinance No. 43-14. All members present voting:

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Yes: Foltz, Kiesling, Peters, Snyder, Werren, Cerreta
No: 0

Mr. Peters: May we have a motion and second to read by title only, the first reading of Ordinance No. 44-14.

Mr. Foltz moved and Mrs. Werren seconded to read by title only, the first reading of Ordinance No. 44-14. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz
No: 0

Ordinance No. 44-14 – 1st Reading – Street & Alley

An ordinance authorizing the Mayor of the City of North Canton to apply for, accept, and utilize a Surface Water Improvement Fund Grant ("SWIF"), through the Ohio Environmental Protection Agency ("OEPA"), for improvements to the Price Park east parking lot, and authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, and declaring the same to be an emergency.

Mr. Peters: OK. As Jim said, we're asking for the money.

Mr. Benekos: Correct

Mr. Peters: All right. May we have a motion and second to adopt the first reading of Ordinance No.44-14.

Mr. Foltz moved and Mr. Cerreta seconded to adopt the first reading of Ordinance No. 44-14. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Kiesling
No: 0

Mr. Peters: As time is of the essence, may I have a motion and a second to suspend the rules for Ordinance No. 44-14.

Mr. Foltz moved and Mr. Cerreta seconded to suspend the rules for Ordinance No.44-14. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters
No: 0

Mr. Peters: May we have a motion and a second to adopt under suspension of the rules, Ordinance No. 44-14.

Mr. Foltz moved and Mrs. Werren seconded to adopt under the suspension of the rules for Ordinance No. 44-14. All members present voting:

Yes: Werren, Cerreta, Foltz, Kiesling, Peters, Snyder
No: 0

16. Mr. Peters: May we have a motion and a second to read by title only, the first reading of Ordinance No. 45-14.

Mr. Foltz moved and Mrs. Werren seconded to read by title only, first reading of Ordinance No. 45-14. All members present voting:

Yes: Cerreta, Foltz, Kiesling, Peters, Snyder, Werren
No: 0

Mr. Peters: Engineer Benekos.

Mr. Benekos: Yes, this is our....

Mr. Fox: I'm sorry. I'm sorry. It was actually what I want to go back and do that as well, but we'll take care of this one.

Ordinance No. 45-14 – 1st Reading – Street & Alley

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton,

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through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots within the corporate limits of the City of North Canton, at a cost not to exceed \$460,000, and declaring the same to be an emergency.

Mr. Benekos: This is our annual paving program. We sent out a list of the streets that are on this program that we're going to consider depending on how the bids come back, we'll see how far we can go on those streets. I'll entertain any questions.

Mr. Peters: All right. No questions, I'll accept a motion and a second for the 1st reading of 45-15.

Mr. Snyder moved and Mrs. Werren seconded to adopt the 1st reading of 45-15. All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

Mr. Peters: May we have a motion and a second to suspend the rules for Ordinance No. 45-15.

Mrs. Kiesling moved and Mr. Cerreta seconded to suspend the rules for Ordinance No. 45-15. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No:

Mr. Peters: May we have a motion and a second to adopt under suspension of the rules Ordinance No. 45-14.

Mr. Foltz moved and Mrs. Kiesling seconded to adopt under suspension of the rules for Ordinance No. 45-14. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Kiesling

No: 0

17. Mr. Peters: May we have a motion and a second to read by title only the first reading of Ordinance 46-14.

Mr. Foltz moved and Mr. Cerreta seconded to read by title only, first reading of Ordinance No. 46-14. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters

No: 0

Ordinance No. 46-14 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the 2014 Sanitary Sewers Rehab Project, at a total cost not to exceed \$100,000.

Mr. Peters: Chairman Cerreta.

Mr. Cerreta: Yes. This is playing catch-up on our sewer maintenance program. We are going to be looking at where we can reline and where we need to reline basically. We've been talking about this in committee, so I move that we move forward on this. I make a motion for Ordinance No. 46-14 in first reading.

Mr. Cerreta moved and Mr. Foltz seconded to adopt the first reading of Ordinance No. 46-14. All members present voting:

Yes: Werren, Cerreta, Foltz, Kiesling, Peters, Snyder

No: 0

18. Mr. Peters: May we have a motion and a second to read by title only, the first reading of Ordinance No. 47-14.

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Mr. Foltz moved and Mrs. Werren seconded to read by title only, the first reading of Ordinance No. 47-14. All members present voting:

Yes: Cerreta, Foltz, Kiesling, Peters, Snyder, Werren

No: 0

Ordinance No. 47-14 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Foster Avenue SE (Hartman Street SE to East Maple) and Hartman Street SE (Foster Avenue SE to Pershing Avenue SE) Waterline Replacement Project, at a total cost not to exceed \$95,000.

Mr. Peters: Chairman Cerreta

Mr. Cerreta: As stated, it is what it is. It's a water replacement for those streets. I move we move forward with this in the first reading.

Mr. Cerreta moved and Mrs. Kiesling seconded to adopt the first reading of Ordinance No. 47-14. All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Werren, Cerreta

No:

19. Mr. Peters: May we have a motion and a second to read by title only, the first reading of Ordinance 48-14.

Mrs. Kiesling moved and Mr. Cerreta seconded to read by title only, first reading of Ordinance No. 48-14. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

Ordinance No. 48-14 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the South Main Street Waterline Replacement Project (50th Street SE to Knoll Street SE), at a total cost not to exceed \$225,000.

Mr. Peters: Chairman Cerreta.

Mr. Cerreta: Once again, it's exactly what is said there, we're replacing a waterline replacement from 50th to Knoll, not to exceed \$225,000, and I move we move forward with this in the first reading.

Mr. Cerreta moved and Mrs. Kiesling seconded to adopt the first reading of Ordinance No. 48-14. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Kiesling

No: 0

20. Mr. Peters: May we have a motion and second to read by title only, the first reading of Ordinance No. 49-14.

Mr. Foltz moved and Mrs. Werren seconded to read by title only, the first reading of Ordinance No. 49-14. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters

No: 0

Ordinance No. 49-14 – 1st Reading – Water, Sewer & Rubbish

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and for the Mayor, through the Board of Control, to enter into a contract for the Whipple Avenue Waterline Extension Project (Wise Avenue NW to Portage Street NW), at a total cost not to exceed \$185,000.

Mr. Peters: Chairman Cerreta.

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Mr. Cerreta: Yes, this is, again, a proactive approach here. We want to supply water to an important growing area to our west. We want to make sure that those lines are available to those folks who want to move in over there on Whipple. So, I move we move forward with this in the first reading.

Mr. Cerreta moved and Mr. Foltz seconded to adopt the first reading of Ordinance No. 49-14. All members present voting:

Yes: Werren, Cerreta, Foltz, Kiesling, Peters, Snyder

No: 0

21. Mr. Peters: May we have a motion and a second to read by title only, the first reading of Resolution No. 50-14.

Mr. Foltz moved and Mr. Cerreta seconded to read by title only, first reading of Resolution No. 50-14. All members present voting:

Yes: Cerreta, Foltz, Kiesling, Peters, Snyder, Werren

No: 0

Resolution No. 50-14 – 1st Reading – Finance & Property

A resolution authorizing the Director of Finance of the City of North Canton, to compensate City employee, Daniel Richards, his regular salary for all of his summoned dates of Grand Jury Duty Leave, upon the Director of Finance's receipt of the documents, including pay vouchers/check from the Clerk of Courts, needed to corroborate his service time.

Mr. Peters: Chairman Snyder.

Mr. Snyder: Thank you, Mr. President. Presently, under bargaining unit negotiation, they're entitled to eighty hours of leave to go to jury duty. However, the Grand Jury is summoned three months or possibly longer. So, it is the intention of this City Administration and Council to reimburse Mr. Richards for the time over the eighty hours that he would normally get. He receives; I think ten dollars the first week and then \$22.50 a day from then on. So, it's a way to allow him to do his civic duty. That is the purpose of it. And, that's an individual basis. As the contract reads, the Council is the sole party to give leave to do so. So, that's what they're asking. I move for its adoption.

Mr. Snyder moved and Mrs. Kiesling seconded to adopt. All members present voting:

Yes: Foltz, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

Mr. Peters: Everyone hang tight. We skippedinaudible....

Mr. Fox: Mr. President, I believe I didn't have the opportunity to actually read by title only, Ordinance No. 34-14, and I respectfully request we return to Old Business, go ahead and go through that process for 34-14. There's no harm in doing it twice, but there is when it wasn't read.

Mr. Peters: Well, let's read it. Here we go. May we have a motion and a second to read by title only, the third reading of Ordinance No. 34-14.

Mrs. Kiesling moved and Mr. Cerreta seconded to read by title only, the third reading of Ordinance No. 34-14. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

Mr. Peters: May we have a motion and second to.....inaudible....that's where I messed up.

Mr. Fox: That's it.

Mr. Peters: I almost made up....inaudible....

Mrs. Kiesling: Good trigger.

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Mr. Fox: An ordinance accepting the recommendations of the City of North Canton Tax Incentive Review Council concerning the agreements granting exemptions for property taxation to continue and modify one the existing Community Reinvestment Area Agreements.

Mr. Peters: Now, may I have a motion and a second to adopt the third reading of Ordinance No. 34-14.

Mr. Foltz moved and Mrs. Kiesling seconded to adopt the third reading of Ordinance No. 34-14. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Kiesling

No: 0

Mr. Peters: OK. Pursuant to Section 3.05 of the Charter, on May 12, 2014, the Director of Finance submitted to the Mayor and Council a schedule of and anticipated income for the next succeeding fiscal year.

Mr. Snyder: Mr. President, I rise to a privilege of a question.

Mr. Peters: Yes, sir.

Mr. Snyder: Thank you. Mr. Mayor, what on that IRG, where is that million dollar grant at this present time? Have we disbursed that money? Jim.

Mayor Held: I think that, I don't have the exact amount as far as....

Mr. Peters: I think about \$600,000.

Mayor Held: \$600,000.

Mr. Snyder: \$600,000 of it? I would think it would behoove us just to hold it up and then issue an ordinance. These people won't cooperate. Obviously they want to fly in and spend our money and not be attentive to our tax-payers. Those are taxpayers money. We'll just put the freeze on the money. They either show up or they don't show up. And, let them come and show up and tell us what they want to do. Just freeze the money. We'll pass it on to freezing the money, and if he calls, you tell him to call us. There would no more money disbursed to him from now on. And, when he comes and does what he's supposed to do, and what he's supposed to possibly do, then we'll release the money. It's ridiculous. I mean he doesn't call you back.

Mayor Held: What I'd like to do if it's ok, is we'll set up a meeting....

Mr. Snyder: We've had meetings with him before, and it doesn't make a difference. Just freeze his money. That gets his attention immediately. The IRS would do that to somebody and they'd respond in five seconds.

Mrs. Kiesling: I know Eric has been in contact with him. He told me Thursday and Friday. And, he was very unhappy which just incites me even more. So, I would love to set up a meeting and have a conversation with him. That would be refreshing.

Mayor Held: I think that's the best thing to do because then when you have issues that you want to address....

Mrs. Kiesling: Well, that's what we wanted to do all along and they chose not to, so....

Mayor Held: I think that's the way to go because even once you get to the point of not providing funds for the projects, we still have to make a decision as far as what is acceptable.

Mr. Snyder: I think that everyone understands that the meeting is to appoint and then not show up, the funds will dry up.

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Mrs. Kiesling: I just, I think we need to make it very clear how frustrated we are, and I'm not sure who is communicating that actually with Mr. Lictner.

Mayor Held: No, I did it myself.

Mrs. Kiesling: OK.

Mayor Held: Yeah. Directly over the phone.

Mrs. Kiesling: OK.

Mayor Held: So, it's clearly been communicated, because you know, it's obviously upsetting when you see residents that are coming up and you see the parking lot that is being expanded and trees that are taken down. Of course, you mean, you know nobody here wants to see trees taken down. But, then you run into trying to manage that balance of why we widened Applegrove.

Mrs. Kiesling: I agree.

Mayor Held: You know, the residents that were along Applegrove, they did not want to see half of their front yards turn into a four-lane roadway. Or, the residents that were down there on Applegrove when we were punching Applegrove through. It's not to say that the City just sits back and just allows these things to happen, but there is a balance that this Council and the Administration has to make as far as what it is that we'd like to see the community from this point and into the future. Of course we value trees. But, we also value having the ability for the businesses to be able to manage on the front of the Hoover lawn, to have a place for their shipments to be made in and out, to have turning lanes, to have it mesh well with the YMCA. We want to achieve that. It would be easy to say, "No, we won't cut anymore trees down." But, then the question is, what is the consequence of that? And, so as we've done in the past we've been through, you know with the car wash on, we all remember that. The carwash on Maple Street. It was a very stressful situation. This was back when I was the administrator. It's just not a pleasant experience. Whenever you're dealing with somebody's home or with their children, if it brings out, you know very hard feelings. Understandably so, because I'm the same way. You're all the same way. But, I don't want to mislead anybody into thinking, "Well, we'll just, we're going to do this, that, and the other thing." If we're not in the position to do it. Or, if we can reach some sort of compromise that's amendable to the residents, and also to the developer.

Mrs. Werren: I think that's what happened. They haven't talk to that. They didn't know the plan. Had they seen the drawings, the schematic, they don't get it. It's going to be over there. It's a nice design, it's not something willy-nilly we came up with in a week. It's been a plan. We are following the plan. But, there is no communication, and the one that we eluded to, there just doesn't seem to be a plan. And, it would look like that. It would look like there was no plan and the trees were just randomly cut down. And, so, had they communicated. But, I do think we run the risk a little bit. I agree with giving it a lot of money, but I think the communication part is really important. Right now, as opposed to just....we're in the middle of some really crucial projects that need to move forward.

Mayor Held: That's right. Absolutely.

Mrs. Werren: And, we have got to work with them.

Mayor Held: And, I can assure you that the communication is going to open up. But, I also, you know, and this has just been my experience, and for those of you who have been around for some time, too, you know you have to make decisions. You've got to make decisions. Just like we did on, with the widening of Maple Street. I mean, no one here wants to see the trees cut down. But, the question is, can you replace the trees or provide another form of vegetation that is acceptable to the community? And, obviously it can be done. The question is, at what cost? You know, whether it's the wrought iron fencing or the trees or whatever it is that we desire, whatever is the most esthetic. And, then the other question is, you know the Planning Commission did not approve it at this point.

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Mrs. Kiesling: Right.

Mayor Held: They came looking for approved plans, and so what I would ask is that the Council and also the Administration, that's why I had an opportunity to speak with those folks because they....inaudible...., and it's understandably so. But, I don't want them to leave here thinking that no trees are going to be cut down, or that there is not going to be any activity because we're somewhere in between them being able to remove what they're proposing and keeping everything as it is. And, what we want to do is try to find some avenue where there's a common agreement. That's what they think our goal is, right?

Mrs. Werren: Well, how we handle this and other big projects that's going to be happening over on Market Street. Before we know it, we're going to be work hand in hand with Walsh, you know Plain Township and there's going to be trees cut down again. But, in the end, it's a good project.

Mayor Held: And, the communication was not there, and I made that crystal clear to the developer. Because, when I went out there and took a look at what was being proposed, I didn't like it. I don't like it. And, so, I was on the phone with him last week, and then again with Stu Lecter last Friday night at 8 o'clock and then on Sunday, again, making it real clear to him that we are going to open up the communication and we're going to make sure that we find something that's amendable to the residents and to the developer. But, it's really all of our role here collectively to find that place of agreement. I just don't want people to, because I've seen this happen a lot of times, when we get residents that are upset I don't want them to be misled into thinking that something is going to end or stop because, you know.

Mr. Foltz: I have no doubt that the communication's going to get better. I think where the residents are spot on is they're angry that things are coming up and the reason things are popping up and because there is no master plan. The Planning Commission took them to task. They're some seasoned planning professionals on that board. And, they called an amateur out. I was at that meeting. I mean, they were disgusted at what they were seeing, and I couldn't believe what I was seeing. I would like to see a comprehensive plan.

Mrs. Werren: Yeah, but Jeff, they were disgusted with the parking lot plan. They were not talking about the Beacon Street Plan.

Mr. Peters: Well, I'd say they were probably talking about, as far as there is no plan for the whole facility. There is no master plan. They want to put the departments in the top and retail in the front. But, there is no comprehensive plan. That's why they haven't addressed the parking lot. That's why it wasn't addressed in the beginning when they were putting businesses in there to put a walk-through or something to get through from the other side which I believe was brought to their attention at one point or another. And, it maybe wasn't feasible at the time, or I can't remember exactly how that went, but I think that's the frustration, when you have a master plan that you can see what's going to come and there are no surprises. If you get time to....

Mr. Foltz: I agree with President Peters. The disconnect is when residents drive by and see all the open parking area on the west side, and they see trees coming down, and the parking lot is expanding next to their neighborhoods. You know we're here to protect the integrity. I like to use that word in the neighborhoods. It's give and take. We're thankful for the jobs we have. We're thankful for the turnaround. They need to come and address this community as far as what is going on overall. The timeline. We keep talking about how this is going to be developed for two or three years. We don't see any going on. Then, the next thing you know, trees are being cut down. We understand there is a price for progress. Unfortunately, it can be trees. But, if they would just come back and communicate and let everybody know what's going on in the future, I think they owe us that. We re-establish these grants to be more favorable to them, to the businesses in that building which is beneficial to us, but we took it away from the street improvements, the infrastructure that we were in control. So, they owe it to come back to us and deal with the public, their questions, and this can be a win all the way around, and give us a timeline of what's going on with the rest of that building.

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And, what's going on with the green space in the front. And, what's going on with the other building parcels that are attached to this. It needs to happen. It needs to happen soon.

Mrs. Werren: But is it so much undone. I guess I feel like it's industry of downtown. I mean we've been waiting for the industry to open, but now it's public record. But things keep happening and different, it just never ends. And, they, I guess, I mean I toured that building four years ago. We went on the inside of it, three different tours. I went on the inside of it three different tours. I walked through. They showed me where the apartments were going to be, and they showed me how to get to the store front. They showed me where there was going to be an outdoor patio. They showed me where they would put the restaurants. I was there when Stark State was started. I saw the opening. I mean I have toured it many times. There have been plans. But, they had to either be scaled back or they're changed, just like we all do when we build our houses, if there's no money, you scale back. If something comes up, you redo something else. And, so, I guess I feel like that's what happening. And, so, there was an initial plan. I mean, I saw those plans, all laid out. It was fabulous. But, it hasn't happened exactly the way they thought it was and so I guess I feel that that is where we are now. When we see the parking lot empty, we don't have those jobs yet. And, when those jobs are here, that second floor as they stated, there won't be spots. And, they did kind of explain what they're planning for either side. And, there just, it's just a wait and see game. If there's apartments over there, if there's retail, no parking left on this side. And, then what do they do? We all think that would be great, but there's no money for that.

Mr. Peters: When does the OBWC come in? Are they in there at....

Mayor Held: They're scheduled for the summer. So, that's another 110 employees that are going to be looking for additional coverage. So, that's one of the other things that are time-sensitive. What we found, or at least what I found is that, and this just isn't this way with the City of North Canton. It goes through municipalities all across the state of Ohio and across the country. You know, we're all desperate for additional revenue and for jobs. And, whenever we see something that, wow this could be possible. This could be a great thing. We get excited and we want to announce what is possible. But, you know we found here, and all of our council members understand this, if we do not announce anything from the City of North Canton until the deal is signed, and then we do that. Unfortunately, we can't completely control the message that business owners or developers want to announce. And, they do that because they want to generate interest. And generate tenants. But, sometimes their plans are contingent upon the number of tenants they have, or the type of tenants. And, we've seen this happen numerous times where the plans change because the tenant changes. And, the needs of the tenant changes. So, when we look at an overall master plan as our Council President was mentioning, Mr. Peters, it's true. We'd love to have that because it gives us control over what we know is going to happen in the future. Or the same thing with our capital improvement plan. We've had roads in the capital improvement plan in the second year for ten years. And, it's because grant funding changes and the needs of the City changes, it's same thing with the developer. So, I completely agree with you folks. I think what we need to do is bring the developer in here, get a better understanding of what they intend to do, and find a way that we can find that place of agreement between the developer and our residents.

Mrs. Werren: One question. I've heard from a couple of people who have tried to put some type of establishment in there and they said that the price per square foot was so kind of out of the market. They still believe in North Canton, and it's going to be a restaurant. Are we able to influence in any of those kind of decisions?

Mayor Held: Do you mean the rate at which they lease?

Mrs. Werren: Yeah. Like if they want the tenants, I guess sometimes it doesn't seem like they want them quite as much as we think that they want them. And, so these tenants have pulled and said, "We're not going to be here." And, luckily these people did stay in North Canton, so we'll have a great new restaurant that would have been wonderful for that one that was standing here. That made me think like, this could be like downtown Hudson, or this could be like Cuyahoga Falls.

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Mayor Held: I think the, you know the reason we have new businesses over there was because the lease rates have been competitive. Because, if they weren't competitive, for what they were receiving, they wouldn't be in there. So, you know we can't set the rates that they want to lease the property. I mean, you know we'd love to have low rates all over the City so there would be good businesses in there. But, I would say this hopefully, they've obviously been competitive rates because we have new businesses in there, and I think that those rates are adjusted based on the square footage that they have and the tenant that they have coming in. You know, we have one tenant that would like to come in right now. But, to suit his needs, they can't provide that at this point. It might take some additional time. And, so but this goes on, this has been going on regularly and that's why we don't, and I've talked to all of you about this, you know publically but individually we don't get too excited about all the possibilities until you actually see that they've agreed and they've signed the lease. Am I correct, Jim and Mike? It's just, so I don't mean to, I'm not trying to be negative, I'm just trying to be realistic and we just have to have an approach that is you know open with the residents and try to find that balance. I'm confident we can do it. We've done that in this community a number of times. So, when I start with having IRG come out here and we're going to make sure that they properly communicate their intentions and their plan as best they can to our Council Members and to the residents.

Mr. Peters: Thank you, Mayor. OK. With that, reports. Member Werren.

Mrs. Werren: I just want to thank those that came out last Wednesday. That was a great tour turnout. But, really all different parts of the City. I'm sorry for some of those who didn't get the notices. We did get to the people that we thought were here. Chuck, I want to thank you, too for getting these petitions. I think that made the deal to the Planning Commission that just showed the amount of people that are affected by that, not just those back houses. There are a number of people. But, the residents did a great job speaking of how they felt, and Planning Commission did a nice job saying how they felt. Marsha did a nice job. It was evidenced. Nobody was pleased with what they saw. And, it was step one hopefully changing that whole plan. So, thank you.

Mr. Peters: Member Snyder

Mr. Snyder: A couple of things. We had a very informative budget meeting with Mr. Cerreta, Mr. Griffith, the Director of Administration, the Director of Finance, myself, Superintendent Davis going over the existing budget. One of the things that came out of that, and that's the reason I brought this up is the importance of that JED Vac that is in the budget. Today, it's been approved. You know we passed the budget for 4/14. It's a \$350,000 expenditure from capital improvement funds. However, this piece of equipment can move down to where there's a couple men, so it's saving manpower plus the safety issue plus many things. So, we're going to probably in the next few weeks be approved the purchase of that. And, as the attention to move that out of Capital and move it to the sewer front center freeing the \$350,000 back to capital to start working towards the pool liner to get that study and get that done. I know there have been people that think the pool is not an important asset to the community. It's a very viable and a very operative asset, and a quality of life item for the City of North Canton. However, we probably were going to have to, as we've talked about in years past, make its own proprietary funds so we can watch it a little closer, and that's something that we probably want to work on. And, that brings me to one of the things President, while I'm thinking about it. I would like some time during next week's Council of the Whole for this Council to spend a little time. You've all received preliminary estimates of potential income for '15. The Finance Director and myself have estimated somewhere between 800 and 922 thousand dollars shortfall to the general fund for 2015. I would like to publically discuss a couple of options that we may have to shore that up somehow, not saying that it cannot be closed internally as we've done so well through control of our money throughout the year. However, we do need a plan. We don't want to react kneejerk in November and come up with an idea where we're going to get a three quarter of a million dollars. I think at this time, I hate to tell you, but I think we've spent the majority of our time and efforts on levies. Levies and fortune and Christianity, you run out of people. We've just about run out of people on that deal, so we have to look at other revenue sources, and

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we want to do that in a way where everybody weighs in and everybody has an idea. And, we'll allow the public in on there so that we know that we may have a half hour or so and given time, we'll all discuss that next week because we're moving closer and closer to the break and we want that in place as soon as possible. The Mayor will be forwarding his preliminary budget July 1st. So, we want to make sure we're on top of that so if we can do that, and that would be done. I do appreciate your time and I appreciate again the President's efforts on that. It was a very good meeting and it depends on if it will spill out each department over the next few months to see where it goes. Thank you. That's all I have at this time.

REPORTS – COUNCIL:

Mr. Peters: Member Kiesling.

Mrs. Kiesling: No report.

Mr. Peters: There will be an entry level Civil Service Test for patrolmen Thursday, July 10, 2014 at 6:00 p.m. in the North Canton Civic Center. Registration dates and times will be posted sometime in June, and speaking of the pool, today was the first day that the pool passes go on sale, and that goes until May 23rd, I believe. That's all I have. Director of Law.

Mr. Fox: Yes. For residents that state that they have difficulty in making record requests, I recommend that you speak with me, speak with the records custodian, quite willing to assist you to get what you're looking for, but if you ask for something that's not a record, the City can't provide it to you. It doesn't track that. If it doesn't maintain that, it can't give it to you. So, that's where some of the frustration may be. But, we might be able to point you in the directions for some things that might be able to help you obtain that information. So, I welcome any comments, concerns, questions and willing to help in that area. Thank you.

REPORTS:

Mr. Peters: Director of Finance

Mrs. Kiesling: No report.

Mr. Peters: Director of Administration

Mr. Grimes: Our street sweeper is back in action as of today, so you should see that getting out and about. And, next week is the EMS Appreciation Week, so we'll see some of the guys and gals around. Let them know how they're appreciated, so. They may come to your house some day. So, thanks.

Mr. Peters: Mr. Mayor.

Mayor Held: Yes. We had Saturday, the Special Olympics. And, it held a dinner for a number of years in the City. And, it's very similar to like having all of our kids up here tonight, all of our dedicated fourth graders. How many do we have here still? You sat through the whole meeting. Was this exciting for you?

Mr. Peters: Dave, I have four of them captive. They're right here with me.

Mayor Held: Yeah, that's right. Jeff Peters announced the President's daughter and nephew, right?

Mrs. Werren: He used to take home four of them when he....inaudible....

Mr. Peters: Two neighbors.

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Mayor Held: But, Special Olympics, it is great. I mean it is a great crowd. Because, no matter what you would say, they are excited and happy. And, it's the same thing with the kids. They all had a chance to go and have a little tour over on our, in the Mayor's office and they're all good kids, so we're glad that we had you folks here, and lastly too, I appreciate the work that all of our Council members are doing and our department heads. Because, it's not an easy thing when you know we're trying to, I'm glad that we're in a growth mode, that the challenge is that we're bringing new jobs and development to the City by trying to mesh that with keeping the trees, preserving our trees, and having a repaving project amenable to the residents. So, that is, I'm glad we're in this situation, but historically we've always done a very good job of trying to find that balance and that place of agreement, and we'll do that again. So, thank you all for your patience. Jeff.

Mr. Peters: Mr. Engineer

Mr. Benekos: Thank you. As you've see, they've started the project on East Maple. It was the road project that removed those trees along East Maple, but we will be putting a long wrought iron fence and some brick columns there, and hopefully some decorative sidewalk elements there. We're meeting with Mr. Cerreta to determine some options to make that look a little nicer over there. We started the waterline on Freedom Avenue. They started that this morning, and we should be starting the waterline on Marquardt Avenue in about three weeks, two weeks, two and a half weeks, two weeks and three quarters. Soon. We're getting some other projects ready to bid out and if you have any questions on any projects anytime, please feel free to call me. Thank you.

Mr. Peters: Before I call for new business, to all the kids in the audience, did the Mayor show you how he can walk on his hands?

....laughter....

Mrs. Werren. You need a new trick. They're not even impressed anymore.

Mr. Peters: Yes.

FINAL CALL FOR NEW BUSINESS:

Mr. Peters: Council. If not, I'll motion to adjourn.

ADJOURN:

Mr. Foltz moved and Mrs. Kiesling seconded to adjourn the Council Meeting

All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Kiesling, Peters

No: 0

Meeting adjourned at 8:19 p.m.



COUNCIL PRESIDENT

*I listened to the audio recording to compare to these minutes for accuracy.

Mary Beth Bailey
Clerk of Council